

# TalkDaddy.com, LLC

November 27, 2005, A.D.

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Ms. Marlene Dortch  
Executive Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Compliance Letter, as per WC Docket No. 05-196,  
with VOIP rules issued via  
November 7, 2005 Public Notice and  
47 C.F.R §9.5(f) .

Dear Ms. Dortch:

We are filing this Compliance Letter in accord with the federal rules captioned above. If there are questions, please direct them to me at either of my office addresses below. Thank you for your time and consideration.

Respectfully submitted,

/s/  
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cc via email to:  
Kathy Berthot  
Janice Myles  
BCPI

# FCC Compliance Letter

## WC Docket 05-196

### INTRODUCTION AND BACKGROUND

TalkDaddy.com, LLC (“TalkDaddy”) is a small and growing VOIP provider. Each of our clients enjoys the VOIP service and the ability to stay in touch with friends, family, and business contacts.

### REPLY TO SPECIFIC DEMANDS FOR INFORMATION CONTAINED IN THE FCC PUBLIC NOTICE DATED NOVEMBER 7, 2005

### NOTIFICATION, ACKNOWLEDGMENT AND LABELING REQUIREMENTS

1. Notification, Acknowledgment and Labeling Requirements: We have notified all of our domestic clients of the 911 limitations of our service via email and US Postal mail in full compliance with §9.54(e) of the Commissions rules. In addition, we have posted, prominently, this same 911 limitation information on our company website at [www.TalkDaddy.com](http://www.TalkDaddy.com).

To date, we have received acknowledgements back from 91.67 percent of our clients and we are expecting to receive acknowledgments from our

remaining client base within the next thirty days. In addition, we have mailed, or hand delivered, to each of our clients, warning stickers to be placed on or near the telephone used with our service.

Moreover, we note that over ninety percent of our users have informed us that they do NOT rely on our service for 911 calls. All of these clients rely on their POTS phone service or cellular service for 911 calling. Although we do not rely on such notifications to relieve us of our responsibility to provide reliable 911 calling, such information may be valuable to the Commission in weighing public safety issues in the enforcement of its rules.

1a. We have obtained, from each of our existing clients, a registered location and new clients are required to provide a registered location before their service is started. Moreover, we offer our users the ability to change their registered location by simply calling our office on their VOIP phone, PSTN phone, or wireless phone. In addition, clients will be able to update their registered location on our company website within the next ninety days.

#### 911 ROUTING INFORMATION AND CONNECTIVITY TO WIRELINE E911 NETWORK

2. 911 Solution: TalkDaddy is currently providing 911 calling services in full and complete compliance with the Commission's Order to sixty percent of our users. The remaining forty percent of our users are having their 911 calls routed to the appropriate PSAP but not by utilizing Selective Routers. The routing is accomplished through the PSTN and the use of a ten-digit

phone number. We have verified with each PSAP, individually, that these ten digit numbers are answered 24 hours per day and are treated like normal 911 calls.

2a. As of November 28, 2005 our service is connected to one selective router, which serves sixty percent of our client base, so that we are transmitting “all 911 calls [for these clients] to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority utilizing the Selective Router, the trunk lines between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary in those areas where Selective Routers are utilized”. Thus, we are transmitting ALL of our client’s 911 calls to the correct answering points, notwithstanding that some of these calls currently utilize the ten digit system.

We are currently negotiating contractual relationships with VOIP Positioning Centers (“VPCs”) that should provide 100% of our clients with full-compliance 911 calling within the next sixty days. The providers we are currently talking with are HBF Group of Austin, TX; Telecommunications Systems of Seattle, WA; and Centric Voice of Dallas, TX. We have also contacted Intrado.

## TRANSMISSION OF ANI AND REGISTERED LOCATION INFORMATION

3. We are currently transmitting, “via the Wireline E911 Network our 911 caller’s ANI and Registered Location to all answering points that are capable of receiving and processing this information” for sixty percent of our users.

3a. We are currently not transmitting the ANI and Registered Location information to the PSAPs for our remaining clients because we are still negotiating with the VPCs that should provide this service for these clients. As described above, we anticipate these negotiations will be complete and fully compliant 911 calling will be in place for 100% of our users within sixty days of today.

3b. One Hundred percent of the answering points in our current service area are capable of receiving and processing ANI and Registered Location information.

#### 911 COVERAGE

4. We are currently in full compliance with the 911 mandates in the Fayetteville-Springdale-Rogers, Arkansas MSA. We are currently not in compliance in the Dallas, Texas MSA and in the Breckenridge, MN area that is closest to the Fargo-Moorhead MSA.

4a. As described above, we plan to be in full compliance with the Commission's rules within the next sixty days. We plan to accomplish this by contracting with a VPC that will route our user's 911 calls via the Selective Router and the Wireline 911 Network.

#### OBTAINING INITIAL REGISTERED LOCATION INFORMATION

5. We have obtained the physical addresses of 100% of our users. These addresses are obtained through the purchase of our service on our website, [www.TalkDaddy.com](http://www.TalkDaddy.com). For users that were in existence before we added the physical address requirement to our website, we emailed them, called them, and postal mailed them the physical address requirement and they filled in their physical address along with the 911 limitation acknowledgement form and returned it to us via US mail, email, or hand carried. We took all of these actions in September, October, and November of 2005.

#### OBTAINING UPDATED REGISTERED LOCATION INFORMATION

6. We currently allow our users to call our office and update their registered location. Because this call can be completed with the user's VOIP phone, this method permits the user to update its registered location by using only the CPE used to access our service. In addition, users can also email us

this same update information. Also, within ninety days, we plan to add a registered location update feature to our website.

Thus, we offer our users more than one method of updating their registered location and at least one of these methods is accomplished through use of CPE that is used to access our service.

## TECHNICAL SOLUTIONS FOR NOMADIC SUBSCRIBERS

7. We plan to implement industry wide technology such as is currently being used in the wireless industry, to locate nomadic VOIP users. However, we note, that unlike cellular phones, each VOIP phone can be traced to an IP address on the Internet. We wonder why, a database of IP addresses has not been constructed that would correlate IP addresses to physical addresses or nearby physical addresses? Such data could be used by every VOIP provider to route 911 calls to the appropriate PSAP.

Indeed, our server knows the IP address from which our users are operating their VOIP phones. Comparing this IP address to a database, such as one described above, would be a fairly simple process. Any 911 call could then be routed to the proper PSAP.

## PLANS FOR IMPLMENTING FULLY COMPLIANT 911 SERVICE

8. As referenced above, we are currently negotiating with VPCs that can provide fully compliant 911 services to all of our existing users and our future users. We plan to have these agreements solidified and executed within the next sixty days. Once the agreements are in place, implementation should take only a matter of hours.

### THINKING OUTSIDE THE BOX

9. Like the Commission, we too applaud the efforts of others to innovate within the infant VOIP industry. To add to this flavor of innovation, we would like to contribute a few of our own ideas. Although we are unaware of any other offerings of these ideas, the concepts are fairly straightforward and could have easily been proposed by someone else. Thus, we do not claim to be the exclusive source of these proposals.

### CROSS-CONNECTED ATAs

10. First, cross-connected ATAs: We are aware that certain ATAs (“analog telephone adapters”) have been marketed that offer a “crossconnect” feature. This ATA has a jack where the Internet cable plugs in; a jack where the normal touch tone phone plugs in; a jack where the power plugs in; just like a normal ATA. However, this ATA also has a fourth jack where a PSTN phone line plugs in.



Thus one standard touch-tone phone is used to facilitate calls on the PSTN or the VOIP network. This eliminates the need for having two phones around. Also, in a power outage, the VOIP circuit will be dead but the PSTN circuit will still work via the voltage inherent to the PSTN. In this way, the user will still have the very same 911 services it had through the PSTN. Also, the ATA is programmed to route all 911 calls through the PSTN line, not the VOIP connection.

Almost all of our domestic users have maintained their separate PSTN service. They simply use our service for staying in touch with contacts in other countries and to avoid long distance charges. These users usually purchase a measured service from their PSTN provider and only use their PSTN phones to receive phone calls and for 911 services. All out going calls are originated and terminated through our system, not the PSTN directly.

The Commission should be aware of these situations and make allowances for them. Where the user is NOT nomadic and she maintains a PSTN line, the FCC should consider her well covered by 911 services without us having to duplicate the coverage.

Furthermore, most, if not all, of our users maintain cellular phone service. If cellular phones were fully 911 compliant, why would our VOIP service have to duplicate the 911 coverage? If cellular phone are NOT fully 911 compliant, how can the Commission require such full compliance of us,

under an equal protection theory, when they don't require full compliance of cellular services?

Any such burdensome, duplicate coverage could only be construed as a successful effort of the RBOCs to erect barriers to entry for new and invocative telephony services, such as VOIP. Surely the Commissions intends otherwise!

## PHONE NUMBERS, NANPA, AND DIDs

11. Second, Phone Numbers: In attempting to learn about 911 service, its nature, technology, resources, and history, we have happen upon several interesting facts surrounding phone numbers, those everyday things we take so for granted. From our research, apparently the North American Numbering Plan Administration ("NANPA") assigns area codes ("NPAs" or "numbering plan areas) and prefixes (NXXs) to ILEC. The ILECs then affix 10,000 random numbers to each NPA and NXX. NANPA or some entity must operate some sort of database so that when I dial 1+NPA+NXX, the PSTN knows which central office ("CO") to send my call to. Once my call arrives in the CO, the switch in the CO routes my call to the correct extension by

correlating the last four digits of the phone number to the end user's phone line.

If one of our VOIP users wishes to have his own phone number, we must purchase a phone number from an ILEC or CLEC or some derivation from them. We have shopped for these phone numbers and have found that the market of phone numbers ("DIDs" or "Direct Inward Dial" numbers) ranges from \$2.50 to \$20.00 per month. In addition to the monthly fixed amounts, some DIDs come with per minute charges!

Since we young VOIP service providers are indeed providing telephony service to the American public, the Commission should require NANPA to issue NPAs and NXXs to VOIP providers just as they do for ILECs. To charge a price of \$10.00 per month, or any amount, for that matter, in perpetuity, for use of a number that was "made up" by someone (or better, someone's computer!) has got to be unconscionable. Surely the Commission intends some other result.

If the Commission decides against this proposal, the Commission will be requiring VOIP providers to purchase phone numbers from ILEC sources which will add to our financial burden and ultimately to our users. There is absolutely no public interest reason to increase our cost of doing business in this way and the Commission should act now to grant us relief on this issue. Indeed, do wireless companies have to purchase phone numbers from ILEC sources as we do?

## UNITED STATES SENATE BILL 1063

12. Third, US Senate Bill 1063: The United States Senate's Commerce Committee's Sub-Committee on Telecommunications recently passed, out of sub-committee, US Bill 1063 which mandates that 911 services and ILECs treat VOIP providers in similar fashion to the way wireless providers are treated. Such a level playing field would certainly seem in order, particularly where the ILECs, CLECs and wireless carriers have had such a head start in the marketplace.

Conversely, burdening VOIP providers with offering needlessly redundant services would hardly seem appropriate. The Commission should act and regulate in a manner that encourages additional service options for the American people. Anything less is a front to the public good or public interest.

While S-1063 is not the law of the land yet, the Commission might easily discern the Congress's thinking on the direction and policy provisions of this bill.

## CONCLUSION

13. Sixty percent of our client base is currently enjoying the full compliance of the Commissions 911 mandates. The remaining forty percent should be enjoying the very same benefits within the next sixty days. Further, we look forward to working with the Commission and possibly other branches of the US Government on establishing rules that will encourage and enhance the United States VOIP service in every way in a very equitable, even handed, and fair manner.

Respectfully submitted,  
TALKDADDY.COM, LLC

By: /s/ John S. La Tour

John S. La Tour  
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